REMARKS

As a preliminary matter, Applicants again request acknowledgment of the Claim for Foreign Priority filed with this Application, or at least an explanation on the record for why the Examiner has refused to acknowledge the Claim. To date, no acknowledgement of the original Claim has been given, nor has the Examiner provided any reason for the refusal or even responded the additional requests for such acknowledgement.

Claims 1-10 again stand rejected under 35 U.S.C. 103(a) as being unpatentable over Toub (U.S. 6,674,450) in view of Cohen (U.S. 5,903,898). Applicants therefore again respectfully traverse this rejection for at least the reasons of record, and also in light of the following clarifying amendments to independent claims 1 and 9. Neither of the two cited references, alone or together, disclose that a plurality of records are sent between two computer systems after they are searched and retrieved. Furthermore, the proposed combination of references fails to disclose how logging operations would be performed between two separate and distinct computer systems, and the Examiner has significantly mischaracterized Applicants' previous arguments against the obviousness of combining the two references as proposed.

A major difference between the present invention and the cited art of record is that in the present invention, after searching and retrieving a plurality of records, the present invention actually sends the plurality of records between the two computer systems. With respect to the Toub reference, however, the Examiner only asserts a plurality of *controls* are sent, but not the actual records or objects, from one computer system to the other. Although

this difference between the present claims and Toub already should have been clear when the claims were read in light of the present Specification, Applicants have nevertheless amended independent claims 1 and 9 herein to better define the claims in an effort to avoid any overly broad or unreasonable interpretation of these claim terms.

The Examiner should now better see how the claims are patentable over the cited art. According to Toub, the client merely receives a plurality of controls from a server. Toub, however, appears to only update its database on the server when a user manipulates a graphical control displayed by the client. (See col. 9, lines 32-46). Toub further discloses that the manipulation is reflected by a handler attached to the control (claim 2 of Toub), and the controls of the respective tasks appear as "Planning." (See Figs. 3-10).

As clearly demonstrated by these portions of Toub, the reference does not teach or suggest that a plurality of records are sent as a whole, or at once, from the client to the server. Toub is therefore significantly different from the present invention which, as now more clearly defined in the claims, sends a plurality of records between the two computer systems. The Examiner can see in Fig. 21 of the present Application, for example, at least one embodiment where the plurality of records are sent between the systems. Cohen is relied upon by the Examiner merely for its disclosure regarding logging of records, and not for anything relating to communications between two computer systems, or a plurality of records sent between the two. Accordingly, the proposed combination of references fails to teach or suggest all of the recited limitations of the pending claims, and therefore the rejection is deficient under at least the requirements of Section 2143.03.

The rejection is further deficient under Section 2143.01 as well, because no teaching or suggestion has been cited by the Examiner from the art of record that would affirmatively direct one of ordinary skill in the art to make the actual combination proposed by the Examiner. The only citation from the art of record to support the proposed combination is col. 2, lines 23-38, of Cohen. This portion from Cohen, however, merely touts the benefits of Cohen's own redo log *in Cohen's own system*. There is nothing in the cited portion from Cohen that teaches or suggests how Cohen's redo log could or should be adapted to another, different system, and particularly the two-computer system shown by Toub. The obviousness of combining one reference with another cannot be justified merely by one reference's claim that its *own invention* is desirable. Instead, the Examiner is required to find where the references themselves affirmatively teach or suggest that the actual combination of references is desirable. In the present case, the Examiner has only supported the premise that one of ordinary skill in the art may be motivated to practice only Cohen's invention by itself.

The failure to show support for the actual combination renders the rejection further deficient for at least these reasons as well. As admitted by the Examiner, Toub fails to teach or suggest any of the logging functions of the present invention (in addition to the other deficiencies in the reference, discussed above). Cohen is relied upon merely for its disclosure of logging operations. Cohen, however, never describes how such logging operations can or should be implemented into a two-computer system, such as Toub's. Accordingly, even were the Examiner able to find support for the proposed combination,

such a combination still could not read upon the present invention, which specifically features how the recited log operations are implemented into the claimed two-computer method.

Toub simply does not teach or suggest any record manipulation into a log, and therefore the reference could not update the database on the server according to the clearly recited logging steps in claims 1 and 9 of the present invention. Even though the Cohen reference discloses the log file identified by the Examiner, there is simply no teaching or suggestion in this reference that indicates how any changes to a database will be predicated on remote access to the database, as in the present invention. In other words, Cohen's log merely records the history of manipulations to the database, but is not utilized to update the database itself, as in the present invention. Thus, even if the two cited references could be combined, they still fail to teach or suggest the present invention, alone or in combination.

The outstanding rejection, however, still does not identify where the references affirmatively indicated the desirability of making the particular combination the Examiner proposes. Section 2143.01 requires that the Examiner not only be able to demonstrate how the combination *could be* made, but in fact, that the references themselves teach or suggest that the combination should be made. No such evidence has been provided on the record, and the rejection is therefore further deficient according to the requirements of Section 2143.01 as well.

The failure to meet these express requirements are not relieved by the Examiner's repeated statements that Applicants have "admitted" the obvious of making the

proposed combination. The requirements of Section 2143.01 are part of the *prima facie* case, and may not be waived by the Applicants. Moreover, the alleged "admission" is entirely erroneous. Applicants have never admitted what the Examiner claims, and the portion of Applicants' previous Response that the Examiner cites in support of these claims has been significantly mischaracterized.

Page 20, lines 3-4 of Amendment A (filed June 23, 2006) in no way admits the obviousness of combining Toub with Cohen, as the Examiner erroneously asserts. The cited sentence expressly begins with the phrase "**if** the log file of Cohen were applied to the method of Toub ...," and therefore clearly represents only a hypothetical discussion point, and not any factual admission. The cited quote though, then only states that "... a history of the interactive manipulations of Toub **might be** stored in the log file." Again, the statement could, at most, be interpreted to concede a *possible* result, *if* the references could be properly combined.

As discussed above though, the Examiner still has not submitted the evidence required to show that the references should be combined, and Section 2143.01 expressly rejects the premise that a combination of references can be justified only on "possibilities or probabilities." In other words, the possible results from a combination do not establish obviousness. Only the necessary results, as affirmatively taught or suggested within the references themselves, can justify the combination. Because no such showing has been made on the record, the rejection is further deficient for at least these reasons as well.

Additionally, it is significant to note that the Examiner, in citing to Applicants' previous remarks, neglected to include the sentence immediately following the cited hypothetical statement. Instead of making the admission the Examiner erroneously claims, the very next sentence from Applicants' previous remarks directly disputed the obviousness of making the combination. Had the Examiner considered the entire statement, the Examiner would have read Applicants' additional statement (now unchallenged on the record) that "it would not have been obvious from the combination that the manipulations to the database object on the client could be stored in a log, and that the server could update he database on the basis of the log and the manipulated database object." (Emphasis added). Such a serious mischaracterization of Applicants' remarks is highly inappropriate, and the Examiner should be required to strike them from the record.

For all of the foregoing reasons, Applicants submit that this Application, including claims 1-10, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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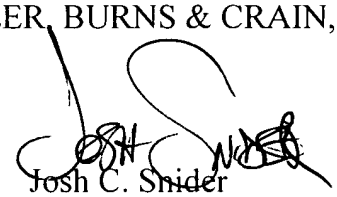
By: 

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